

REMARKS

Claims 46-75 are currently pending in this application. Claims 46-50, 53-69, and 72 are rejected, and claims 51, 52, 70, 71, and 73-75 are withdrawn from consideration. Claims 46-75 are canceled, and new claims 76-98 are presented. Applicants respectfully submit that no new matter is added as support for the new claims exists in the specification and claims as originally filed.

The new claims are presented to clarify what is claimed, to place the claims in better form for U.S. prosecution, and to address the rejections/objections. For the convenience of the Examiner, a chart is shown below showing the new claim corresponding to each rejected claim.

| Rejected Claim | New Claim |
|----------------|-----------|
| 46 | 76 |
| 47 | 77 |
| 48 | 78 |
| 49 | 79 |
| 50 | 80 |
| 53 | 81 |
| 54 | 82 |
| 55 | 83 |
| 56 | 84 |
| 57 | 85 |
| 58 | 86 |
| 59 | 87 |
| 60 | 88 |
| 61 | 89 |
| 62 | 90 |
| 63 | 91 |
| 64 | 92 |
| 65 | 93 |
| 66 | 94 |
| 67 | 95 |
| 68 | 96 |
| 69 | 97 |
| 72 | 98 |

Applicants note that claims withdrawn from consideration have been cancelled and are not re-presented in the new claims,

Claim Objections

Claim 63 is objected to as being in improper multiple dependent form. Claim 63 has been canceled and Applicants respectfully request withdrawal of this rejection.

Rejections under 35 U.S.C. § 112, ¶ 1

Claims 67-69 are rejected under 35 U.S.C. § 112, ¶1 as lacking written description support. According to the Office Action, the claims use broad genus language such as aqueous and nonaqueous liquid liquid and detergent and aqueous care liquid rinsing formulation, which do not have sufficient description in the specification, nor are a representative number of compounds described within these genera to demonstrate that applicant was in possession of any one of these genus terms. See Office Action at 3.

Applicants respectfully traverse. Applicants have canceled the rejected claims and refer the Examiner to new related claims 95-97. Applicants respectfully submit that one of skill in the art would understand what is meant by, for example, "water-miscible alcoholic or aqueous-alcoholic liquid detergent formulation" or "a care agent for articles comprising textile fibers," as such is well known in the art and need not be described in more detail than is already present in the specification. As is well established that a specification need not teach, and preferably omits, that which is well known in the art. Accordingly, Applicants respectfully submit that claims 67-69 do not lack written description support, and this rejection should be withdrawn.

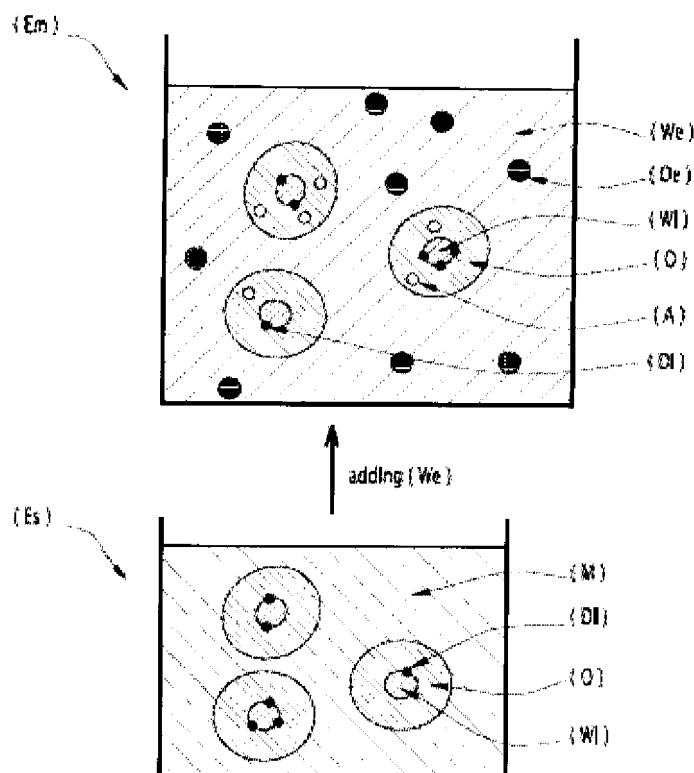
Rejections under 35 U.S.C. § 112 ¶2

Claims 56, 57, 60, 62, and 63 are rejected under 35 U.S.C. § 112 ¶2 as being indefinite for reciting nested ranges. Applicants have canceled these claims and respectfully submit that this rejection should be withdrawn.

Claim 46 and 63 are rejected as lacking antecedent basis. Applicants have canceled these claims and respectfully request withdrawal of these rejections.

Claim 68 is rejected for the reasons set forth in the Office Action at p. 9. Applicants have canceled claim 68, and respectfully request withdrawal of this rejection.

Claim 46 is rejected as being indefinite because the claim is allegedly unclear and confusing. Applicants have canceled claim 46 and have presented new claim 76, which Applicants believe to provide a clearer recitation of what is claimed. In addition, in response to in the invitation of the Examiner, Applicants provide the following picture, which illustrates in a non-limiting way, one embodiment of the emulsion of claim 76.



In view of the foregoing, Applicants respectfully request withdrawal of this rejection.

Rejection under 35 U.S.C. § 102(b)

Claims 46-50 and 53-55, 58-59, and 65-66 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dederen (US 2002/0065328) as evidenced by Sharma et al. Food Promotion Chronicle, and Wikipedia, Dimithicione. See Office Action at 10.

The present invention is generally directed to an emulsion as claimed in claim 76 and illustrated above. Applicants draw the Examiner's attention in particular to the recitation in claim 76 of "at least one water-soluble or water-dispersible stabilizer (Di) at the interface of the two phases (O) and (Wi)."

Dederen describes an emulsion including a polysaccharide combination of Xanthan polysaccharide and a polyglucomannan polysaccharide. In an embodiment, the emulsion can be

formulated as a water-in-oil-in-water emulsion ([0075]). Nevertheless, in Dederen, the polysaccharide is in the outer aqueous phase, whereas the polysaccharide of the present invention (Di) is at the interface of the hydrophobic phase and the inner aqueous dispersed phase. Paragraph [0012] of Dederen recites, “the emulsions of the invention have aqueous continuous phases and in making the emulsions the polysaccharides will usually be dispersed in water.” Moreover, Dederen [0075] recites, “the invention thus further includes a water in oil in water multiple emulsion in which the primary oil in water emulsion is the emulsion of the invention.” (emphasis added.) It is therefore clear that the polysaccharide of Dederen is dispersed in the outer aqueous phase and not at the interface of the two inner phases (ie., in (We) instead of at the interface of (O) and (Wi)).

For at least this reason, Applicant respectfully submit that Dederen does not anticipate the instant claims and this rejection should be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 56, 57, 60, 61-64, and 72 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dederen apparently in view of the knowledge of one of ordinary skill in the art. *See* Office Action at p.14). Claims 68 and 69 similarly rejected over Dederen in view of Bavouzet (US 2005/0053569)

Applicants refer to the discussion of Dederen above and respectfully submit that a *prima facie* case of obviousness is not established because Dederen does not teach the location of polysaccharide as claimed. Moreover none of the cited references teaches, suggests, or provides any reason for one of ordinary skill in the art to modify the water-in-oil-in-water emulsion of Dederen to achieve the presently claimed invention.

Accordingly Applicants respectfully submit that the claims are patentable over the cited references and this rejection should be withdrawn.

CONCLUSION

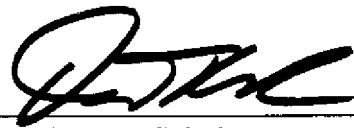
Applicants respectfully submit that all claims are in condition for allowance. If any issues remain, Applicants request, as appropriate, the courtesy of a phone call to their counsel below.

Respectfully submitted,

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